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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,)
08 Plaintiff,) Case No. CR04-372-RSL
09 v.)
10 JOHN G. FELIX,) SUMMARY REPORT OF U.S.
11 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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13 An initial hearing on a petition for amended supplemental violations of supervised
14 release was held before the undersigned Magistrate Judge on February 18, 2009. The United
15 States was represented by Assistant United States Attorney Carl Blackstone, and the
16 defendant by Mr. Robert Goldsmith. The proceedings were digitally recorded.

17 The defendant had been charged and convicted of Possession of a Stolen Firearm, in
18 violation of 18 U.S.C. § 922(j). On or about September 9, 2005, defendant was sentenced by
19 the Honorable Robert S. Lasnik, to a term of fifty-eight (58) months in custody, to be
20 followed by three (3) years of supervised release.

21 The conditions of supervised release included the requirements that the defendant
22 comply with all local, state, and federal laws, and with the standard conditions. Special
23 conditions imposed included, but were not limited to, participation in a substance abuse
24 program, financial disclosure, search and alcohol abstinence.

25 In an Petition for Amended Supplemental Violation, dated January 28, 2009, U.S.
26 Probation Officer Jerrod Akins asserted the following violations by defendant of the

01 conditions of his supervised release:


- 02 (3) Failing to report as instructed on four different occasions, specifically October
03 17, 20, 21 and 22, 2008, for drug testing, in violation of the special condition
04 that he participate as instructed by his U.S. Probation Officer in a program
05 approved by the probation office, which may include testing to determine if
06 the defendant has reverted to the use of drugs or alcohol.
- 07 (4) Failing to report law enforcement contact within 72 hours as instructed on
08 December 31, 2008, in violation of standard condition No. 11.
- 09 (5) Associating with Terri Rosario, a convicted felon without permission, in
10 violation of standard condition No. 9.
- 11 (6) Failing to report law enforcement contact within 72 hours as instructed on
12 January 13, 2009, in violation of standard condition No. 11.

13 On February 18, 2009, defendant made his initial appearance. The defendant was
14 advised of his rights, acknowledged those rights, and admitted to the alleged violations Nos.
15 3, 4 and 6. Alleged violation 5 was dismissed by the government.

16 I therefore recommend that the Court find the defendant to have violated the terms
17 and conditions of his supervised release as to violations numbers 3, 4 and 6, and that the
18 Court conduct a hearing limited to disposition. A disposition hearing on these violations has
19 been set before the Honorable Robert S. Lasnik on April 10, 2009 at 119:00 a.m.

20 Pending a final determination by the Court, the defendant has been released, subject
21 to supervision.

22 DATED this 18th day of February, 2009.

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24 JAMES P. DONOHUE
25 United States Magistrate Judge
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cc: District Judge: Honorable Robert S. Lasnik
AUSA: Mr. Carl Blackstone
Defendant's attorney: Mr. Robert Goldsmith
Probation officer: Mr. Jerrod Akins